



LITHGOW CITY COUNCIL

A CENTRE OF REGIONAL EXCELLENCE

MINUTES

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

05 MARCH 2012

AT 7.00pm

MINUTES

Meeting Commenced 7.00pm

Public : 37

PRESENT

His Worship the Mayor
Councillor N Castle
Councillor H Fisher
Councillor W McAndrew
Councillor J J McGinnes
Councillor C Hunter
Councillor M F Ticehurst

APOLOGIES

12-61 RESOLVED

An apology was received from and leave of absence granted to Councillor R Thompson who is out of the City on Personal Business

An apology was received from and leave of absence granted to Councillor G Danaher who is out of the City on business.

MOVED: Councillor H Fisher **SECONDED:** Councillor W McAndrew

Also in attendance:

Mr Roger Bailey, General Manager
Miss Rhiannan Pace, Minutes Secretary
Mr Jim Nichols, Acting Group Manager Environment and Development
Mrs Sherilyn Hanrahan, Acting Group Manager Community and Strategy
Mr Iain Stewart, Group Manager Operations
Mrs Carol Farnsworth, Finance Manager

CONFIRMATION OF THE MINUTES

12-62 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on 13th February 2012 were taken as confirmed by Councillors H Fisher and W McAndrew

A **DIVISION** was called by Councillors M F Ticehurst and J J McGinnes

Division -

FOR

Councillor N L Castle
Councillor H K Fisher
Councillor C Hunter
Councillor W McAndrew

AGAINST

Councillor J J McGinnes
Councillor M F Ticehurst

DECLARATION OF INTEREST

His Worship the Mayor called for Declarations of Interest on any matter before the Meeting.

Councillor N Castle declared a Non Pecuniary conflict of interest in item 3 as he is a board member of the Lithgow Community Private Hospital. He will step down as chair but will not vacate the Chambers.

QUESTIONS FROM THE PUBLIC FORUM

At 7:08PM Members of the public gallery were invited to participate in the Public Forum Session

1. PF - 05/3/12 - MRS DIANNE VANDER VELDON

Mrs Vander Veldon raised the issue of the recent explosion at Howard and Sons. She requested a meeting with Councillors and other staff members so that they can explain to her how Howard and Sons are complying with their DA.

Council officer Jim Nichols advised that an initial audit was carried out this morning and that more detailed audit will be carried out. This investigation showed that there is compliance at this point but a Workcover investigation is currently underway.

Mrs Vander Veldon then questioned the shipping containers on site and how they are still able to be located where they are, stating that they were an eyesore.

Mr Nichols advised that Howard and Sons have not reached the level that they previously were at prior to first incident and as such have temporary structures such as the shipping containers on site. A detailed audit is going to be completed.

Mayor advised that there is a government enquiry to be completed and advised Mrs Vander Veldon that her request to meet with Council will take place following further investigation.

2. PF- 05/3/12 - MRS SALLY TAYLOR

Mrs Taylor raised concerns in relation to Item 5 of the agenda. Mrs Taylor told Council of the concern than business owners have in relation to the consistency for footpath trading. There is also confusion surrounding the public liability amount and would like clarification.

Mayor advised that Council voted on the policy in 2009 and that neighbouring council's also have a fee. He suggested that he would like the policy reviewed.

3. PF - 05/3/12 - MR BARRY SMYTHE

Mr Smythe raised the issue of the traffic lights at the Main Street and Bridge Street intersection.

Mr Smythe acknowledged that the matter had previously been looked in to. He stated that the reason given for retaining the status quo that there would be a line of stationary vehicles along Bridge Street was not valid as there remains a stationary line of traffic in Main Street during peak periods.

Mayor advised Mr Smythe that the matter would be referred to TALC.

4. PF - 05/3/12 - MR BARRY DOWSETT

Mr Dowsett raised the matter of the recent explosion at Howard and Sones advising that he lives in close proximity to the factory and has been blasted four times. Mr Dowsett requested Council close the factory down for safety reasons before someone else gets hurt.

Mayor advised that Council is not in a position to shut it down.

Mr Dowsett advised that he had spoken to Workcover today and they advised him that Council has the power.

General Manager advised that the factory was approved by the State's Joint Regional Planning Panel.

5. PF - 05/3/12 - MR BRUCE MACCULLOUGH

Mr MacCullough stated that Council had representatives on the Joint Regional Planning Panel and they agreed to these buildings.

General Manager advised that while there were Council representatives on the Joint Regional Planning Panel they are appointed by the State Government.

6. PF - 05/3/12 - MR ANTHONY CRAIG

At previous meeting Mr Craig made enquiries regarding the power sell off and the impact it would have on the Lithgow area. Mr Craig enquired as to whether Council had received any further advice and whether an economic impact study had been completed.

General Manager advised that representations had been made.

Mayor advised that Council spoke again with Mr Toole yesterday and awaiting advice about Ministerial Meetings.

Mr Craig then requested a minutes silence for the police officer recently killed in the line of duty in Tamworth.

The Mayor acknowledged the work that the police do but did not agree to Mr Craig's request for a minutes silence.

7. PF - 05/3/12 - MRS HEATHER YOUNGER

Mrs Younger has concerns regarding the Rodeo at the Lithgow Show. Council has advised Mrs Younger that they are not able to use field one for the rodeo because of the significant damage to it last year however Mrs Younger asked how people will see the Rodeo from the Grandstand if it is on Field 3 as proposed by Council?

Group Manager of Operations advised that there was considerable damage to the grounds and a number of complaints. Council is trying to protect the facility. With the expected continuing rain over the following weeks it is not believed that Field 1 is a suitable location for the rodeo. Alternative field 3 has been offered. Council is happy to meet with the organisers of the rodeo. Discussion with the organisers needs to take place regarding what area of Field 1 will be used.

TABLE OF CONTENTS

<u>ITEM</u>	<u>TITLE</u>	<u>PAGE</u>
	<u>MAYORAL MINUTE</u>	<u>7</u>
<u>ITEM-1</u>	<u>MAYORAL MINUTE - 5/3/12 - RECOGNITION OF COUNCILLOR WAYNE MARSHALL</u>	<u>7</u>
<u>ITEM-19</u>	<u>MAYORAL MINUTE - 5/3/12 - SPRINGVALE MINE - ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT (1999) (EPBC) REFERRAL</u>	<u>8</u>
<u>ITEM-2</u>	<u>NOTICE OF MOTION - 05/03/12 - LITHGOW CITY COUNCILS INVESTMENT PROSPECTUS - COUNCILLOR M F TICEHURST</u>	<u>9</u>
<u>ITEM-3</u>	<u>NOTICE OF MOTION - 05/03/12 - IMPACT OF THE NEW CUTS TO PRIVATE HEALTH INSURANCE REBATES ON LITHGOW PRIVATE HOSPITAL - COUNCILLOR M F TICEHURST</u>	<u>10</u>
<u>ITEM - 5</u>	<u>NOTICE OF MOTION - 5/3/12 - COUNCIL FEES AND CHARGES ON STREET DINING AND FOOTPATH TRADING - COUNCILLOR M F TICEHURST</u>	<u>10</u>
	<u>ADJOURNMENT OF COUNCIL MEETING</u>	<u>11</u>
<u>ITEM-20</u>	<u>LATE MAYORAL MINUTE - 19/3/12 - COUNCILLOR DISORDER</u>	<u>12</u>
<u>ITEM-5</u>	<u>NOTICE OF MOTION - 5/3/12 - COUNCIL FEES AND CHARGES ON STREET DINING AND FOOTPATH TRADING - COUNCILLOR M F TICEHURST</u>	<u>15</u>
<u>ITEM-6</u>	<u>ENVIRO - 05/03/12 - RURAL ADDRESS NUMBERING</u>	<u>15</u>
<u>ITEM-4</u>	<u>NOTICE OF MOTION - 5/3/12 - COUNCILS RURAL ADDRESS FEES AND CHARGES AND SUBSIDY SCHEME FOR VAST SATELLITE SERVICE - COUNCILLOR M F TICEHURST</u>	<u>15</u>
<u>ITEM-7</u>	<u>ENVIRO - 05/03/12 - SSD-5086, PINE DALE COAL MINE, STAGE 2 EXTENSION</u>	<u>16</u>
<u>ITEM-8</u>	<u>ENVIRO - 05/03/12 - 09_0186MP MOUNT PIPER ASH PLACEMENT</u>	<u>16</u>
	<u>OPERATION REPORTS</u>	<u>16</u>
<u>ITEM-9</u>	<u>OPER - 05/03/12 - WATER REPORT FEBRUARY 2012</u>	<u>16</u>
	<u>COMMUNITY & STRATEGY REPORTS</u>	
<u>ITEM-10</u>	<u>COMM - 05/03/12 - PUBLIC EXHIBITION OF DRAFT AGEING STRATEGY</u>	<u>17</u>
<u>ITEM-11</u>	<u>COMM - 05/03/12 - PREPARATION OF THE PRINCIPAL LOCAL ENVIRONMENTAL PLAN</u>	<u>18</u>

<u>FINANCE REPORTS</u>	<u>18</u>	
<u>ITEM-12</u>	<u>FINAN - 05/03/12 - GST CHANGES TO EXEMPTIONS FOR CERTAIN TAXES, FEES & CHARGES - DIVISION 81 GST ACT</u>	<u>18</u>
<u>COMMITTEE MEETINGS</u>		<u>19</u>
<u>ITEM-13</u>	<u>COMM - 05/03/12 - SOUTH LITTLETON HALL RENOVATION SECTION 355 COMMITTEE MEETING 07/02/12</u>	<u>19</u>
<u>ITEM-14</u>	<u>COMM - 05/03/12 - CRIME PREVENTION COMMITTEE MEETING MINUTES - 13 FEBRUARY 2012</u>	<u>19</u>
<u>ITEM-15</u>	<u>COMM - 05/03/12 - LITHGOW CITY COUNCIL ACCESS COMMITTEE</u>	<u>20</u>
<u>ITEM-16</u>	<u>FINAN - 05/03/12 - ECONOMIC DEVELOPMENT SHOPFRONT COMMITTEE</u>	<u>20</u>
<u>DELEGATES REPORTS</u>		<u>20</u>
<u>ITEM-17</u>	<u>DELEGATES REPORT - 05/03/12 - MINING RELATED COUNCILS</u>	<u>20</u>
<u>BUSINESS OF GREAT URGENCY</u>		<u>21</u>
<u>CLOSED REPORT</u>		<u>22</u>
<u>ITEM-18</u>	<u>OPER - 05/03/12 - CONFIDENTIAL REPORT - TENDER 04/11 WOLGAN ROAD SLIP STABILISATION DESIGN AND CONSTRUCTION</u>	<u>22</u>

MAYORAL MINUTE

ITEM-1 MAYORAL MINUTE - 5/3/12 - RECOGNITION OF COUNCILLOR WAYNE MARSHALL

12-63 RESOLVED

THAT

1. A letter of condolence including the recognition of Councillor Wayne Marshall's service to the Council and the community be sent to his wife Janice;
2. Council seek through the Minister for Local Government an exemption from a by-election in these circumstances; and
3. Council seek nominations to replace Councillor Marshall on the committees he was on and make the following appointments;
 - Men's Shed - Councillor Hunter
 - Water Committee - Councillor Hunter
 - Youth Advisory Committee - Councillor Hunter
 - Indoor Aquatic Centre - Councillor Thompson (Chair)
 - Crime Prevention Committee - Councillor Castle (Chair)
 - Internal Audit Committee - Alternate - Councillor Fisher
 - Cemetery Committee - Councillor Fisher
 - Clarence Coal Mine Community Committee - Councillor Fisher
 - Tourism Advisory Committee - Councillor Fisher

Councillor Ticehurst declined nomination to the Tourism Advisory Committee

MOVED: Councillor N L Castle

SECONDED: Councillor H K Fisher.

MATTER ARISING

Lithgow Community Private Hospital funding assistance for Prostate Biopsy Equipment.

Mayor Castle declared interest in matter as he is a member of the board but remained in the meeting.

Councillor Fisher assumed the chair at 7:32pm

12-64 RESOLVED

THAT:

1. Council consider a donation in the 2012/13 Management Plan for Prostate Cancer Biopsy equipment to be located at the Lithgow Community Private Hospital.
2. Council approach local businesses for a donation for this equipment

MOVED: Councillor W McAndrew

SECONDED: Councillor M F Ticehurst.

Clr Castle returned to chair 7:37pm

The Mayor presented a late Mayoral Minute.

LATE REPORT

ITEM-19 MAYORAL MINUTE - 5/3/12 - SPRINGVALE MINE - ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT (1999) (EPBC) REFERRAL

REPORT FROM: THE MAYOR, COUNCILLOR NEVILLE CASTLE

12-65 RESOLVED

THAT

1. Note the report on the EPBC referral for the Springvale Mine;
2. Provide ongoing support to Centennial Coal in relation to its EPBC applications for the Springvale and Angus Place mines; and
3. Authorise the Mayor to take what action is necessary to assist Centennial Coal in relation to the settlement of this matter.
4. That an urgent delegation be sought from John Cobb – Federal Member and Paul Toole – State Member.

MOVED: Councillor N L Castle

SECONDED: Councillor H K Fisher.

A **DIVISION** was called by Councillors N L Castle and H K Fisher.

Division (Unanimous) -

FOR

Councillor N L Castle
Councillor H K Fisher
Councillor C Hunter
Councillor W McAndrew
Councillor J J McGinnes
Councillor R Thompson

PROCEDURAL MOTION

THAT Item 4 be moved to follow Item 6 as they were addressing the same issue

MOVED: Councillor W McAndrew

ITEM-2 NOTICE OF MOTION - 05/03/12 - LITHGOW CITY COUNCILS INVESTMENT PROSPECTUS - COUNCILLOR M F TICEHURST

MOTION

THAT the General Manager, after more than 8 months since the launch of the Lithgow Investment Prospectus, provide a verbal report to the Council, Councillors, ratepayers and residents on the success or otherwise of the prospectus?

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

On being PUT the MOTION was **LOST**

A **DIVISION** was called by Councillors M F Ticehurst and J J McGinnes.

Division -

FOR

Councillor M F Ticehurst
Councillor J J McGinnes

AGAINST

Councillor N L Castle
Councillor H K Fisher
Councillor C Hunter
Councillor W McAndrew

ITEM-3 NOTICE OF MOTION - 05/03/12 - IMPACT OF THE NEW CUTS TO PRIVATE HEALTH INSURANCE REBATES ON LITHGOW PRIVATE HOSPITAL - COUNCILLOR M F TICEHURST

Councillor Castle declared an interest and stepped down as the Chair of the meeting and remained in the chambers.

Councillor Fisher chaired 7:54pm

12-66 RESOLVED

THAT the Council seek advice and a report from the 14-bed Lithgow Private Hospital as to what impact, if any there will be on its operations as a result of the recent cuts by the Federal Labor Gillard Government to the Private Health Insurance rebates?

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

Councillor Castle returned to the Chair 7.58pm

ITEM-5 NOTICE OF MOTION - 5/3/12 - COUNCIL FEES AND CHARGES ON STREET DINING AND FOOTPATH TRADING - COUNCILLOR M F TICEHURST

MOTION**THAT**

1. General Manager or responsible Senior Council Officer provide a verbal report to the Council, Councillors, ratepayers and residents on the background as to why the current letter has been sent out to all Shopkeepers in the Lithgow CBD?
2. That fees and charges for street dining and footpath be suspended until 1 July 2012
3. Council consider the street dining and footpath fees in the 2012/13 Management Plan
4. Council reconsider Policy 5.4.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor H K Fisher.

Councillor Fisher indicated that Councillor Ticehurst had made a disparaging remark to a member of the public gallery and indicated that it should be withdrawn.

Councillor Ticehurst said that he would not be withdrawing the remark.

The Mayor asked Councillor Ticehurst to withdraw the remark.

Councillor Ticehurst refused to withdraw the remark.

The Mayor again asked that Councillor Ticehurst withdraw the remark.

Councillor Ticehurst again refused to withdraw the remark and said that he would be leaving the chambers and that he felt that Councillor McGinnes would be coming with him.

Councillor Ticehurst left the chambers (8:02pm) Councillor McGinnes also left the chambers.

ADJOURNMENT

Mayor called a 10 Minutes adjournment to the meeting because there was no quorum (8:03pm)

Mayor called the meeting to order 8:16pm, he advised that a quorum could not be reached and the meeting will be reconvened Monday 19th March at 6pm. This meeting will only include those outstanding items on the agenda.

The meeting adjourned at 8:17pm

Meeting re-commenced at 6.00pm on Monday 19th March 2012

Public: 19

PRESENT

His Worship the Mayor
Councillor N Castle
Councillor H Fisher
Councillor W McAndrew
Councillor J J McGinnes
Councillor C Hunter
Councillor M F Ticehurst
Councillor R Thompson
Councillor G Danaher

Also in attendance:

Mr Roger Bailey, General Manager
Miss Rhiannan Pace, Minutes Secretary
Mr Jim Nichols, Acting Group Manager Environment and Development
Mrs Sherilyn Hanrahan, Acting Group Manager Community and Strategy
Mr Iain Stewart, Group Manager Operations
Mrs Carol Farnsworth, Finance Manager

The Mayor commenced the meeting with a general comment and asked the public gallery to respect Councillors and Senior Staff and not interject when Council business is being conducted. He also reminded Councillors not to make untoward comments to the general public during meetings.

The Mayor then asked Councillor Ticehurst if he was prepared to withdraw and apologise for his remarks made before the adjournment of the meeting.

Councillor Ticehurst refused to withdraw the remark and apologise.

The Mayor then presented a Mayoral Minute. Upon reading the Mayoral Minute the Mayor again asked Councillor Ticehurst if he was prepared to withdraw and apologise for his remarks.

Councillor McGinnes interjected on several occasions and was ruled out of order.

Councillor Ticehurst did not respond to the Mayors request.

ITEM - 20 LATE MAYORAL MINUTE - 19/3/12 - COUNCILLOR DISORDER

12-67 RESOLVED

THAT arising from the circumstances of the adjournment of the Ordinary Meeting of Council held on 5th March 2012:

- a. it is accepted that there is evidence that a reasonable and objective person would accept the Clr Ticehurst withdraw his remark referring to a person in the public gallery as a boofhead;
- b. referring to a member of the public gallery as a boofhead is an act of disrespect and constitutes disorder;
- c. Clr Ticehurst is again requested to withdraw the comment and further to apologise for showing disrespect to a member of the public gallery
- d. if Clr Ticehurst refuses to withdraw the comment and to apologise for the remark a motion will be sought to expel Clr Ticehurst from this meeting;
- e. if Clr Ticehurst is subject to the passing of a motion expelling him from the Meeting and he fails to voluntarily leave the Chamber the Mayor will declare public disorder and adjourn the meeting for 15 minutes;
- f. if upon re-convening the meeting Clr Ticehurst is in attendance in the Council Chamber and continues to refuse to withdraw the remark and apologise the Chair will not recognise the Councillor;
- g. if Clr Ticehurst refuses to leave the Meeting voluntarily the General Manager is authorised to arrange with the police for the removal of Clr Ticehurst;
- h. at subsequent meetings of Council Clr Ticehurst will, at the commencement of the Meeting, be offered the opportunity to withdraw his remark and to apologise for showing disrespect to a member of the public gallery at the Ordinary Meeting of Council of 5th March 2012;
- i. continued refusal by Clr Ticehurst to withdraw his remark and apologise will lead to a motion to expel the Councillor;
- j. if the circumstances require it, the General Manager is authorised to arrange with the police for the removal of Clr Ticehurst;
- k. Upon withdrawing the remark and apologising no further action to seek the expulsion of Clr Ticehurst will be undertaken.

It is regrettable that the above course of action is contemplated. However, it is important that we send a very clear and strong message to all Councillors and the community that we will not hesitate to take the appropriate measures to protect the integrity of our Council. The community's confidence in the capacity of Council to undertake its responsibilities should not be placed at risk by failing to address intemperate action of a Councillor.

MOVED: Mayor Castle

SECONDED: Clr McAndrew

A **DIVISION** was called by Councillors H K Fisher and M F Ticehurst.

Division -

FOR

Councillor G Danaher
Councillor H K Fisher
Councillor C Hunter
Councillor W McAndrew
Councillor R Thompson
Councillor N L Castle

AGAINST

Councillor M F Ticehurst
Councillor J J McGinnes

Councillor McGinnes repeatedly interjected and was warned on several occasions by the Mayor that he was out of order.

Councillor Ticehurst was again asked to apologise. He refused.

Councillor McGinnes repeatedly interjected and was again warned by the Mayor.

The Mayor requested Councillor Ticehurst leave the chambers. He refused.

The Mayor called an adjournment for 15 minutes at 6.12pm after Councillor Ticehurst refused to withdraw his comments and leave the chamber.

The Council reassembled at 6.27pm with all of the aforementioned Councillors present.

On resuming the meeting the Mayor asked the Council if it wished to continue business. The Council responded in the affirmative.

Mayor asked Councillor Ticehurst to leave the chambers, he refused.

Mayor called an adjournment at 6.28pm

Police entered the chambers at 6.28pm and escorted Councillor Ticehurst from the meeting. Councillors Ticehurst and McGinnes made remarks as Councillor Ticehurst was being escorted from the chambers.

The Council reassembled at 6.29pm with all of the aforementioned Councillors present with the exception of Councillor Ticehurst.

On resuming the meeting the Mayor asked the Council if it wished to continue business. The Council responded in the affirmative.

ITEM-5 NOTICE OF MOTION - 5/3/12 - COUNCIL FEES AND CHARGES ON STREET DINING AND FOOTPATH TRADING - COUNCILLOR M F TICEHURST

12-68 RESOLVED

THAT Council review policy 5.4 urgently, including a review of the public liability amount with notification letters being sent to business owners.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

ITEM-6 ENVIRO - 05/03/12 - RURAL ADDRESS NUMBERING

12-69 RESOLVED

THAT Council note the information on the rural addressing process

MOVED: Councillor G Danaher

SECONDED: Councillor H K Fisher.

ITEM-4 NOTICE OF MOTION - 5/3/12 - COUNCILS RURAL ADDRESS FEES AND CHARGES AND SUBSIDY SCHEME FOR VAST SATELLITE SERVICE - COUNCILLOR M F TICEHURST

12-70 RESOLVED

THAT the Council waive the rural address fees for those rural landholders making application for the Satellite Subsidy Scheme to connect to the VAST satellite service.

MOVED: Councillor J J McGinnes

SECONDED: Councillor H K Fisher.

**ITEM-7 ENVIRO - 05/03/12 - SSD-5086, PINE DALE COAL MINE, STAGE 2
EXTENSION**

12-71 RESOLVED

THAT Council note the application for the Stage 2 extension of the Pine Dale Coal Mine.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

ITEM-8 ENVIRO - 05/03/12 - 09_0186MP MOUNT PIPER ASH PLACEMENT

12-72 RESOLVED

THAT:

1. The report on Mount Piper ash placement be noted; and
2. Council seek an urgent meeting with Delta, the State Member and representatives from the Blackmans Flat community on the impact of this development on the local residents.

MOVED: Councillor H K Fisher

SECONDED: Councillor W McAndrew.

ITEM-9 OPER - 5/3/12 - WATER REPORT FEBRUARY 2012

12-73 RESOLVED

THAT the water report be noted

MOVED: Councillor H K Fisher

SECONDED: Councillor W McAndrew.

ITEM-10 COMM- 05/3/2012 - PUBLIC EXHIBITION OF DRAFT AGEING STRATEGY

12-74 RESOLVED**THAT** Council:

1. Adopts the Ageing Strategy Report with the following amendments to the draft Ageing Strategy as exhibited:

- Amend the annual population growth targets of 1% to 2% (pages 31-32) to those adopted in the 2011 Land Use Study of 0.5%-1%.
- Amend the Education Action Plan (page 71) to include an additional action: "Work towards establishing a University of the Third Age in Lithgow".
- Amend the domestic squalor action within the Housing Action Plan (page 98) to "Develop collaborative arrangements for reducing the incidence of and for responding to domestic squalor".
- Amend the Residential Care Action Plan (page 106) to include an additional action: "Consider the needs of couples in residential aged care planning".
- Amend the preparation for Ageing Action Plan (page 47) to include an additional action: "Employment programs to be targeted to older workers".
- Amend the Residential Care Action Plan (Action 4 Page 105) to read:

Action	Key Partnerships	Priority
Undertake a detailed site assessment of the former Hermitage site to determine its suitability for residential aged care.	Council and Aged Care Providers	High.

- That those concerned in the preparation of the report be congratulated

MOVED: Councillor H K Fisher**SECONDED:** Councillor R Thompson.

ITEM-11 COMM - 5/3/12 - PREPARATION OF THE PRINCIPAL LOCAL ENVIRONMENTAL PLAN

12-75 RESOLVED

THAT Council:

1. Resolve to prepare a Principal Local Environmental Plan to accord with the Standard Instrument (Local Environmental Plan) Order 2006 and notify the NSW Department of Planning.
2. Prepare a planning proposal to implement the strategies and actions of the adopted and endorsed Lithgow Land Use Strategy 2010-2030.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

ITEM-12 FINAN - 5/3/12 - GST CHANGES TO EXEMPTIONS FOR CERTAIN TAXES, FEES & CHARGES - DIVISION 81 GST ACT

12-76 RESOLVED

THAT Council note the changes to Council charges as required by the Commonwealth Tax Laws Amendment (2011 Measure No 2) Bill 2011 from 1 July 2012 requiring GST to be applied to such charges as:

- Development contributions
- Special Rates
- Domestic and Commercial Waste Charges.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

**ITEM-13 COMM - 05/03/12 - SOUTH LITTLETON HALL RENOVATION
SECTION 355 COMMITTEE MEETING 07/02/12**

12-77 RESOLVED

THAT Council:

1. Notes the minutes of the South Littleton Hall Renovation Committee meeting of 7 February 2012; and
2. Notes the full expenditure of Community Building Partnership and Regional and Local Community Infrastructure Program funding

MOVED: Councillor H K Fisher

SECONDED: Councillor W McAndrew.

**ITEM-14 COMM - 05/03 2012- CRIME PREVENTION COMMITTEE MEETING
MINUTES - 13 FEBRUARY 2012**

12-78 RESOLVED

THAT Council:

1. Notes the minutes of the Crime Prevention Committee meeting of 13 February 2012; and
2. Allocates funding in the current year budget for purchase and associated installation costs of an additional CCTV camera.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

ITEM-15 COMM - 5/3/12 - LITHGOW CITY COUNCIL ACCESS COMMITTEE

12-79 RESOLVED

THAT Council:

1. adopt the attached Access Committee Terms of Reference; and
2. Councillor H Fisher and J J McGinnes be appointed to the Committee

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

**ITEM-16 FINAN - 5/3/12 - MINUTES 01/02/12 - ECONOMIC DEVELOPMENT
SHOPFRONT COMMITTEE**

12-80 RESOLVED

THAT Council note the minutes of the Economic Development Shopfront Committee held on 01 February 2012.

MOVED: Councillor G Danaher

SECONDED: Councillor H K Fisher.

**ITEM-17 DELEGATES REPORT - 05/03/12 - MINING RELATED COUNCILS
MEETING**

12-81 RESOLVED

THAT Council note the report on the Mining Related Council Meeting held on 10th February 2012.

MOVED: Councillor W McAndrew

SECONDED: Councillor H K Fisher.

BUSINESS OF GREAT URGENCY

In accordance with Clause 241 of the Local Government (General) Regulations 2005 business may be transacted at a meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only of:

- a) *A motion is passed to have the business transacted at the meeting: and*
- b) *The business proposed to be brought forward is ruled by the Chairperson to be of great urgency.*

NIL

ITEM-18 OPER - 05/03/12 - CONFIDENTIAL REPORT - TENDER 04/11
 WOLGAN ROAD SLIP STABILISATION DESIGN AND
 CONSTRUCTION

12-82 RESOLVED

THAT Council not refer the Tender 04/11 Wolgan Road Slip Stabilisation design and construction to closed Council but deal with it in open Council.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher

RESOLVED

THAT

1. Council accept the Tender received from Sporting Services (Const) Pty Ltd - Trading as Pan Civil for the design and construction of slope stability works on the Wolgan Gap Road at a price of \$271,100 GST exclusive.
2. Council authorise the General Manager to affix the 'Common Seal' to all contract documents as required.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

Meeting closed 7.12pm